

The Honorable Thomas S. Zilly

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

SUNG HONG,

aka Laurence Hong,

aka Lawrence Hong,

Defendant.

NO. CR17-163-TSZ

**PRELIMINARY ORDER
OF FORFEITURE**

THIS MATTER comes before the Court on the United States' Motion, docket no. 107, for Entry of a Preliminary Order of Forfeiture (the "Motion") seeking to forfeit to the United States the interest of the Defendant, Sung Hong, in the following property:

- a. One 2015 Aston Martin DB9 Volante, Vehicle Identification Number SCFFDAFM9FGB16266;
- b. Approximately \$209,261.37 in funds held in Interactive Brokers LLC account number XXXX6283, held in the name of Hyun Joo Hong;
- c. Approximately \$6,417.42 in funds held in Interactive Brokers LLC account number XXXX9407, held in the name of Pishon Holding, LLC;

- d. Approximately \$5,069.17 in funds held in J.P. Morgan Chase Bank, N.A. account number XXX8615, held in the name of Pishon Holding, LLC;
- e. Approximately \$1,009.76 in funds held in J.P. Morgan Chase Bank, N.A. account number XXXXX9962, held in the name of Hyun Joo Hong;
- f. One ring with attached apparent colorless, transparent, round, brilliant-cut diamond weighing approximately 3.02 carats, and apparent diamonds inset on band, seized on or about June 2, 2017, from the premises of 8918 NE 24th Street, Clyde Hill, Washington, 98004;
- g. One Rolex Oyster Perpetual Yacht-Master watch, seized on or about June 2, 2017, from the premises of 8918 NE 24th Street, Clyde Hill, Washington, 98004;
- h. One Patek Philippe watch with apparent inset diamond, seized on or about June 2, 2017, from the premises of 8918 NE 24th Street, Clyde Hill, Washington, 98004;
- i. One gold U.S. Liberty Coin, weighing approximately one ounce, seized on or about June 2, 2017, from the premises of 8918 NE 24th Street, Clyde Hill, Washington, 98004; and
- j. Assorted jewelry seized on or about June 2, 2017, from the premises of 8918 NE 24th Street, Clyde Hill, Washington, 98004, including items appearing to be: two gold metallic keys; four gold metallic bracelets; one gemstone pearl bracelet; one silver metallic ring; one Tiffany key pendant necklace; two gold metallic chain necklaces; and one gold metallic medallion necklace.

The Court, having reviewed the papers and pleadings filed in this matter, including the Motion, hereby FINDS that entry of a Preliminary Order of Forfeiture is appropriate because:

- The above-identified property is subject to forfeiture to the United States, pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c) as property

constituting or derived from proceeds traceable to the wire fraud conspiracy, and pursuant to 18 U.S.C. § 982(a)(1) as property involved in the conspiracy to launder monetary instruments, or any property traceable to such property; and

- The Defendant agreed, pursuant to the Plea Agreement he entered on March 27, 2018, to forfeit the above-listed property to the United States (Dkt. No. 85, ¶ 8).

NOW, THEREFORE, THE COURT ORDERS:

1) Pursuant to the Motion, the Plea Agreement, 18 U.S.C. § 981(a)(1)(C), 18 U.S.C. § 982(a)(1), and 28 U.S.C. § 2461(c), the Defendant's interest in the above-identified property is fully and finally forfeited, in its entirety, to the United States;

2) Pursuant to Fed. R. Crim. P. 32.2(b)(4)(A)-(B), this Preliminary Order will become final as to the Defendant at the time he is sentenced, it will be made part of the sentence, and it will be included in the Judgment;

3) The United States Department of Justice, and/or its authorized agents or representatives, shall maintain the above-identified property in its custody and control until further order of this Court;

4) Pursuant to Fed. R. Crim. P. 32.2(b)(6) and 21 U.S.C. § 853(n), the United States shall publish notice of this Preliminary Order and the United States' intent to dispose of the property as permitted by governing law. The notice shall be posted on an official government website—www.forfeiture.gov—for at least 30 days. For any person known to have alleged an interest in the above-identified property, the United States shall also, to the extent possible, provide direct written notice to that person. The notice shall state that any person, other than the Defendant, who has or claims a legal interest in the above-identified property must file a petition with the Court within 60 days of the first day of publication of the notice (which is 30 days from the last day of publication), or within 30 days of receipt of direct written notice, whichever is earlier. The notice shall advise all interested persons that the petition:

- a. shall be for a hearing to adjudicate the validity of the petitioner's alleged interest in the property;
- b. shall be signed by the petitioner under penalty of perjury; and
- c. shall set forth the nature and extent of the petitioner's right, title, or interest in the property, as well as any facts supporting the petitioner's claim and the specific relief sought;

5) If no third-party petition is filed within the allowable time period, the United States shall have clear title to the property, and this Preliminary Order shall become the Final Order of Forfeiture as provided by Fed. R. Crim. P. 32.2(c)(2);

6) If a third-party petition is filed, upon a showing that discovery is necessary to resolve factual issues presented by that petition, discovery may be conducted in accordance with the Federal Rules of Civil Procedure before any hearing is conducted on the petition. Following adjudication of any third-party petitions, the Court will enter a Final Order of Forfeiture, pursuant to Fed. R. Crim. P. 32.2(c)(2) and 21 U.S.C. § 853(n), reflecting that adjudication;

7) The Court will retain jurisdiction for the purpose of enforcing this Preliminary Order, adjudicating any third-party petitions, entering a Final Order of Forfeiture, and amending the Preliminary Order or Final Order as necessary pursuant to Fed. R. Crim. P. 32.2(e).

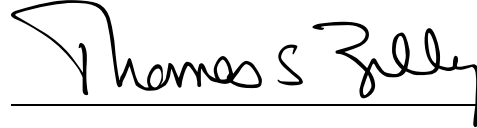
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1 The Clerk of Court is directed to serve a copy of this Order on all parties of record.
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3 DATED: October 11, 2018.
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6 Thomas S. Zilly
7 United States District Judge
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9 Presented by:
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11 /s/ Neal Christiansen
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